IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kaneko et al. Serial No.: 10/627,995 Filed: 7/28/2003 Title: BIO-LIQUID CRYSTAL POLYMER AND SHAPED MATERIAL USING SAME	Atty. Dkt.: 26L-001 Art Unit: 1756 Examiner: Shean Chiu WU

OIPE JC139
JUN 30 2005
PATENT & TRADEMARK OFFICE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window
Randolph Building
401 Dulany St.
Alexandria, VA 22314

Date: 30 June 2005

REQUEST FOR RETURN OF INITIALED FORM PTO-1449

Sir:

Pursuant to MPEP § 609, Applicant hereby respectfully requests that the Examiner initial the enclosed copy of the originally-submitted Form PTO-1449 in the appropriate place in the left-hand column as proof that the listed Japanese reference has been considered and made of record. The basis for Applicant's request is explained in detail below.

Applicant submitted a timely Information Disclosure Statement and Form PTO-1449 concurrently with the filing of the present application. The Form PTO-1449 lists a Japanese language reference. The Examiner has apparently refused to consider the Japanese reference because no English translation was included. The office action mailed 5 April 2005 states that applicants should provide an English translation if the reference is to be considered.

The applicants had no duty to include a translation if such a translation was not in the applicants' possession. (See MPEP §609 III A(2), Aug. 2001.) The applicants filed the

Information Disclosure Statement together with the reference that was in applicants' possession.

However, pursuant to the Examiner's request, the applicants provide the following translation as an explanation of relevance:

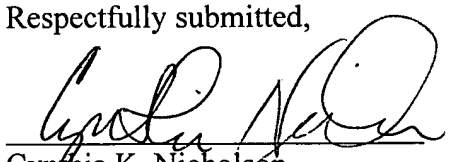
At present, aliphatic polyesters are researched as biodegradable plastics. Because, the easy-degradation (biodegradation, hydrolysis property) of aliphatic polyester bond under environment can be used. Another reason is that the properties of those materials, such as molding property (thermal plasticity), are relatively similar to that of conventional commodity resin. Also, the decomposed matter is expected to be safe since the components are organic acids or aliphatic alcohols which exist widely in nature. Especially, lactic acid is one of organic acids used in the field of foods, being two functional groups material with hydroxyl group and carboxyl group, being polymerized by dehydration condensation reaction among the molecules. Polymer materials including lactic acid as main component are one of oldest aliphatic polyesters known since the 1930s. Until now, due to the degradation property and safety, they are used as bioabsorbable materials such as suture thread and bone connecting material mainly in the field of biomedical materials.

Therefore, the applicants respectfully request that the Examiner consider the Japanese reference listed on the Form PTO-1449, initial the copy of the original Form PTO-1449 and return a copy of the initialed form to the undersigned as soon as possible.

Although no fees are believed to be due, permission is hereby given to charge any unanticipated fees to Deposit Account No. 50-1147.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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PATENT APPLICATION

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FORM PTO-1449	ATTY. DKT NO. 26L-001	SER. NO. 10/627,995
	APPLICANT KANEKO et al.	
	FILING DATE July 28, 2003	GROUP 3737

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS

FOREIGN PATENT DOCUMENTS

								TRANSLATION	
		DOCUMENT NUMBER	DATE	COUNTRY	NAME	CLASS	SUB CLASS	YES	NO

* Full English text of the JP Document will be available in machine-translated form from JP (Japanese Patent Office) English language web site at **http://www1.ipdl.jpo.go.jp/PA1/cgi-bin/PA1INDEX**.

OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

		Matsusaki et al., "SYNTHESIS AND CHARACTERIZATION OF NOVEL BIODEGRADABLE POLYMERS COMPOSED OF HYDROXYCINNAMIC ACID AND D,L-LACTIC ACID", April 4, 2000, pp. 2357-2364.
		Doi Yoshiharu, "BIODEGRADABLE PLASTIC HANDBOOK", May 26, 1995, pp. 576-581.

EXAMINER	DATE CONSIDERED

Rev. 10/94 (Form 3.05)